

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

109/2

2024:PHHC:068028-DB



LPA-2176-2023

Date of Decision: 15.05.2024

Ravi

.....Appellant(s)

Versus

State of Haryana and others

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA,
ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present: Mr. Kuldeep Sheoran, Advocate,
for the appellant.

Mr. Deepak Balyan, Addl. A.G., Haryana.

G.S.SANDHAWALIA, ACTING CHIEF JUSTICE (Oral)

1. Consideration in the present appeal is to the order dated 11.12.2023 passed by the learned Single Judge in CWP-21938-2023 whereby, the writ petition was dismissed mainly on account of the view which was taken in CWP-22055-2023, Rakesh Kumar vs. State of Haryana and others on 12.10.2023 and also by noticing that LPA-1616-2023 filed against the said judgment had been dismissed in that case on 06.11.2023.

2. We have also noticed in the said appeal that the said order was reviewed vide order dated 21.11.2023 and now the appeal has been disposed of vide order of even date by relegating the appellant to seek his remedy in accordance with law since the Commission had passed a fresh order dated 20.02.2024.

3. In the present case also, since the appeal was ordered to be heard

Shivani Gupta along with LPA-1616-2023, we had asked the State counsel to seek instructions in
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the same terms regarding passing of a fresh order by the Commission. The said order dated 10/19.04.2024 now has been placed on record by the Commission. The Commission has come to the conclusion that the petitioner's bio-matrices as such were found mismatched in comparison to the earlier bio-matrices captured at the time of written examination and there was clear indication that the candidate had impersonated himself. It is in such circumstances, the petitioner has been held not selected and the Commission had withdrawn the recommendation and also recommended the appointing authority to relieve him from service.

4. Counsel for the appellant accordingly submits that keeping in view the above, he may be allowed to withdraw the present appeal with liberty as given in LPA-1616-2023 vide order of even date.

5. Resultantly, we dispose of the present appeal in the same terms with liberty to the appellant to challenge the abovesaid order dated 10/19.04.2024 passed by the Commission in separate proceedings. Needless to say, we have not commented upon the merits of the case and the findings recorded by the learned Single Judge will not stand in the way of the appellant in view of the detailed order having been passed by the Commission subsequently.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

15.05.2024
shivani

(LAPITA BANERJI)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No